

Listing of Relevant Defendant Responsibilities/Plaintiff Exposures and Duties*Gazzola v. Hochul*

Statute	Party	Senate Bill	Eff. Date	Task	Completion Date
Gen §875-b(2)	NYSP	4970-A	12/05/2022	Standards for security alarm systems	(1)
Gen §875-e(1)	NYSP	4970-A	12/05/2022	Employee training (all new e/es within 30 days of employment; existing w/i 90 days effective date; all employees annually thereafter)	(2)
Gen §875-e(2)	NYSP	4970-A	12/05/2022	Employee training course in the conduct of firearm, rifle, and shotgun transfers, including minimum (a) through (d), plus (f) “such other topics the superintendent deems necessary and appropriate.”	
Gen §875-e(3)	NYSP	4970-A	12/05/2022	Minimum requirements for maintenance of records of employee training	(3)
Gen §875-e(3)	<i>Impact: PL</i>	4970-A	12/05/2022	<i>N.B.: No employee may participate in the sale or disposition of firearms, rifles, or shotguns unless such person is at least twenty-one years of age and has first received the training required by this section.</i>	
Gen §875-f	NYSP	4970-A	12/05/2022	Form for records of purchase, sale, inventory, “and other,” including at least (1) through (4).	(5)
Gen §875-f	PL	4970-A	12/05/2022	<i>N.B.:</i> Dealer shall submit copies of “such records” to NYSP every April and October.	
Gen §875-f(2)	PL	4970-A	12/05/2022	<i>N.B.:</i> monthly inventory check shall be prepared and “maintained in a secure location”	
Gen §875-g(1)(b)	NYSP	4970-A	12/05/2022	Annual certification of compliance with all requirements of Gen Bus Art. 39-BB	(6)
Gen §875-b(2)(a)	NYSP	4970-A	12/05/2022	Regulations requiring periodic inspections of every dealer every three years, during regular and usual business hours, to determine compliance with requirements of Gen Bus Art. 39-BB	(7)
Gen §875-b(2)(b)	NYSP	4970-A	12/05/2022	Annual report (content generally specified) to Governor, Senate Majority Leader, and Assembly Speaker	(8)

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Gen §875-h	NYSP	4970-A	12/05/2022	“The superintendent may promulgate such additional rules and regulations as the superintendent shall deem necessary to prevent firearms, rifles, and shotguns from being diverted from the legal stream of commerce.”	(9)
Gen §875-i	Exposure PL	4970-A	12/05/2022	Violations by any “person, firm, or corporation” is a class A misdemeanor.	
Pen 11-12	Exposure PL	4970-A	12/05/2022	Conviction renders licensee ineligible to obtain license and shall operate as a revocation of the license. May be revoked or suspended for any violation of Gen Bus Art. 39-BB by a judge. Written notice of to be copied to NYSP and local LEO. All personal firearms may be removed, if not surrendered.	
Bill §5	NYSP	4970-A	(elective)	“Effective, immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.”	
Pen §400.00(2)		9458	08/30/2022	<i>N.B.:</i> new SAR license. [Section further amended S.51001.]	
Pen §400.00(3)	NYSP	9458	08/30/2022	Approval of blank applications to purchase or take possession of a semiautomatic rifle	PPB-5 Pl. Ex. 4
Pen §400.00(7)	NYSP	9458	08/30/2022	Approval to form of license to purchase or take possession of a semiautomatic rifle, including licensee’s photograph and coupon	(11)
Pen §265.65	Exposure PL	9458	08/30/2022	<i>N.B.:</i> purchase of SAR without SAR license is a class A misdemeanor (first offense) or class E felony (subsequent offenses).	
Pen §265.66	Exposure PL	9458	08/30/2022	<i>N.B.:</i> sale of an SAR to a person without an SAR license is a criminal sale, which is a class E felony. Customer is required to present SAR license at the time of purchase, Pen §400.00(8). “Dealer in firearms” now includes SAR transactions, Pen §400.00(9). New SAR license valid five	

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				years; renewable; expired is a violation with \$250 fine, Pen §400.00(10)(c).	
Exec 144-a	DCJS, NYSP, others	9407-B	06/30/2022	Promulgate rules and regulations “to establish criteria for eligible professions requiring use of a body vest.” [Further amended S.51001, eff. 09/01/2022.]	(12)
Exec 144-a	DCJS, NYSP, others	9407-B	06/30/2022	Promulgate rules and regulations to establish a “process by which an individual or entity may request that the profession in which they engage be added to the list of eligible professions”	(13)
Gen Bus §396-eee	Exposure PL	9407-B	06/30/2022	Sales prohibited except to individuals or entities “engaged or employed” in an eligible profession and sale is conducted in person (exemptions), Gen Bus 396-eee(1)-(2). Violation fine \$5,000 (first offense); \$10,000 (subsequent offenses). [Further amended S.51001, eff. 09/01/2022.]	
Pen §270.22	Exposure PL	51001	09/01/2022	Unlawful sale when known customer not engaged or employed in an eligible profession, as a class A misdemeanor (first offense); class E felony (subsequent offenses).	
Pen 400.00(1)(a) - read with – 400.00(19)	DCJS NYSP	51001	09/01/2022	Twice states “No license shall be issued or renewed...and...license application...(iii) certification of completion of the training required in subdivision nineteen of this section...” Subdivision 19: “Prior to the issuance or renewal of a license under paragraph (f) of subdivision two of this section [concealed carry, no restrictions], issued or renewed on or after the effective date of this subdivision, an applicant shall complete an in-person live firearms safety course conducted by a duly authorized instructor with curriculum approved by DCJS and NYSP	(14)

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				Subdivision 19 [last sentence]: Applicant renewing license issued prior to 09/01/2022 “shall only be required to complete such training for the first renewal of such license after such effective date.”	
Pen §400.00(19)	DCJS NYSP	51001	09/01/2022	Approve a curriculum, “...including a minimum of sixteen hours of in-person live curriculum approved” by DCJS/NYSP [duplicate language in original] Approved curriculum to include topics (i) through (xi).	(15)
Pen §400.00(19)	DCJS NYSP	51001	09/01/2022	Approve “...a minimum of two hours of live-fire range training course.”	(16)
Pen §400.00(19)	DCJS NYSP	51001	09/01/2022	Promulgate rules and regulations for “proficiency level” for live-fire range training.	08/27/2022 PL Exh. 2
Pen §265.00(19)	DCJS	51001	07/15/2023	DCJS can now issue certificates to qualify instructors – see “duly authorized instructor” defined (amended)	(18)
Exec §235	NYSP DCJS	51001	09/01/2022	Promulgate policies and procedures “...with regard to standardization of firearms safety training...” required under Pen §400.00(19)	(19)
Exec §837(23)(a) - read with – 235(1)	NYSP	51001	09/01/2022	Promulgate policies and procedures “with regard to standardization of firearms safety training...which shall include the approval of course materials and promulgation of proficiency standards for live fire training” required under Pen §400.00(19)	(20)
Exec §837(23)(b) - read with – §235(2)	NYSP	51001	04/01/2023	Create an appeals board for hearings under Pen §400.00(4-a).	(21)
Exec §837(23)(b) - read with – §235(2)	NYSP	51001	04/01/2023	Promulgate rules and regulations governing appeals at the new appeals board.	(22)
Pen §400.00(10)(d)	Exposure PL	51001	09/01/2022	Concealed carry licenses [unrestricted] shall recertify or renew every three years. “For licenses issued prior to the effective date of this paragraph that were issued more than	(23)

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				three years prior to such date, or will expire in less than one year from such date shall be recertified or renewed within one year of such date.”	
Pen §400.00(11)	Exposure PL	51001	09/01/2022	Grounds for license revocation and suspension include any failure of current application process [including new training requirements for concealed carry].	
Pen §400.02(2)	NYSP	51001	w/i 30-days des. NY-POC for NICS	Creation of a statewide “license and record database specific for ammunition sales”	(24)
Pen §400.02(2)	Exposure PL	51001	w/i 30-days d/b created	Dealer shall not transfer any ammunition without a background check, unless recipient is another dealer in firearms or a seller of ammunition (defined).	
Pen §400.03	NYSP	51001	09/01/2022	Approve format for records of transactions involving ammunition.	(25)
Pen §400.06 - read with – Pen §400.03(6)	NYSP	51001		Certify whether ammunition background check may be conducted through NICS or through NY-POC NYSP	(26)
Exec §228(3)	NYSP	51001		Create and maintain “...a statewide firearms license and records database which shall contain records held by the division and any records that it is authorized to request from the division of criminal justice services, office of court administration, New York state department of health, New York state office of mental health, and other local entities.” “The division may create and maintain additional databases as needed to complete background checks pursuant to the requirements of this section.”	(27)
Exec §228(4)	NYSP	51001	07/15/2023	Promulgate “a plan to coordinate background checks for firearms and ammunition purchases pursuant to this section...”	(28)

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				“Plan” “features” listed in (a)-(c), including creation of a new division within the NYSP.	
Exec§ 228(5)(a)	NYSP	51001	07/15/2023	Impose a fee upon dealers for performing background checks	(29)
Exec §228(6)	NYSP	51001	07/15/2023	Submit a report to Governor, Senate President Pro Tem, Assembly Speaker, content (a)-(c).	(30)
Exec §228(7)	NYSP	51001	w/i 30-days eff.	Notify dealers of “...the requirement to submit a request to the division to initiate a background check pursuant to this section...” and	(31)
Pen §400.06	Exposure PL	51001		Must contact NYSP to request a NICS check, failure to do so is a class A misdemeanor	
Exec §228(8)	NYSP	51001	07/15/2023	Create form for appeal of denial of a background check.	(32)
Exec §228(8)	NYSP	51001	07/15/2023	Respond to appeal within thirty days with reason for denial.	(33)
Exec §228(8)	NYS-AG	51001	07/15/2023	Create appeals process to NYS-AG.	(34)
Gen §898(2)	PL	51001	07/15/2023	Send NICS request through NYSP.	
Gen §898(2)(c)	PL	51001	07/15/2023	When at gun shows, mandates ATF Form 4473 be done on paper; maintain ten years for “inspection” by “law enforcement”	